

Michigan Department of Civil Service

REGULATION

Appointing Authority Letter Reference: CS- 6908	Effective Date: November 9, 1999 <u>August 20, 2000</u>	Index Reference: American Indian, <u>Employment</u> <u>Lists Applicant Pool</u>	Regulation Number: 1.02
Issuing Bureau: Human Resource Services	Rule Reference: Rules 1- 1.16 and 1- 27 .1	Replaces: Reg. 1.02 (CS- 6795 , April 6, 1996 <u>6908</u> , <u>November 9,</u> <u>1999</u>)	
Subject: CODING AMERICAN INDIAN RACIAL DESIGNATION			

INDEX

1. Purpose	1
2. Civil Service Commission Rule Reference	1
3. Definition.....	2
4. Standards	2

1. PURPOSE

At the November 27, 1984 Michigan Civil Service Commission meeting, the Commission approved the process for documenting and verifying the racial designation of all persons identifying themselves as American Indian. The purpose of this regulation is to provide standards for the required documentation and procedures for coding applicants and new employees as an American Indian or for changing the racial designation of current employees to American Indian.

2. CIVIL SERVICE COMMISSION RULE REFERENCE

Chapter 1 of the Michigan Civil Service Commission Rules states:

- A. 1-~~1.16~~ Requirement Merit, Efficiency, and Fitness. -- All appointments and promotions to positions in the classified service, and all measures for the control and regulation of employment in such positions, and separation therefrom, shall be based on merit, efficiency, and fitness.
- B. 1-~~27~~.1 Conditions. — No person shall be discriminated against in seeking employment, in being appointed or promoted, or in any condition of employment in the classified service, or any separation therefrom, because of race, color, religion, national origin, ancestry, handicap disability, partisan considerations, age, or sex. Age or sex may be determined to be a bona fide occupational qualification.

3. DEFINITION

The Department of Civil Service uses the definition promulgated by federal agencies, including the Equal Employment Opportunity Commission (EEOC), for an American Indian. That definition is:

All persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.

4. STANDARDS

- A. Any individual wishing American Indian designation on ~~the employment lists~~applicant pool records, ~~Personnel Payroll Information System for Michigan (PPRISM)~~in the Human Resources Management Network (HRMN) and other departmental records must provide one of the following forms of documentation as evidence to substantiate the American Indian heritage:
 - (1) Birth certificate, showing either parent is an American Indian.
 - (2) Tribal identification card.
 - (3) Certification by a tribal officer that an individual appears on tribal rolls.
 - (4) Fishing rights card.
 - (5) Bureau of Indian Affairs documents, such as tuition eligibility.
- B. The ~~Bureau of Human Resource Services (Bureau)~~Department of Civil Service will change the racial code on the ~~employment list~~applicant pool record to American Indian upon submission and approval of the required documentation.
- C. Appointing authorities may change the racial designation of a state employee to American Indian in ~~PPRISM~~the HRMN and other departmental records after the individual provides one of the above documents. The appointing authority may confirm the applicability of the code with the ~~Bureau~~Department of Civil Service.
- D. For appointment purposes, if the code for the American Indian designation appears on the ~~employment list~~applicant pool record, the appointing authority may enter it in ~~PPRISM~~the HRMN upon appointment.
- E. Some individuals may have difficulty in obtaining the documentation listed above. Other forms of documentation, supported by affidavits from other official sources, may be adequate. The ~~Bureau~~Department of Civil Service will review and determine the acceptability of this documentation.
- F. The ~~Bureau~~Department of Civil Service will maintain a file of all documentation submitted as verification of status as an American Indian in accordance with the established application retention schedule (six months). Appointing authorities

will maintain the documentation as provided in their personnel record retention schedule.

5. PROCEDURE

A. Requests Submitted to the Bureau:

<u>Action</u>	<u>Responsibility</u>
Applicant	1. Submits a Classified Civil Service Application (CS-102) form marking American Indian as the racial designation.
Bureau <u>Department of Civil Service</u>	2. Receives the Civil Service Application from the applicant requesting the American Indian racial designation on the employment list <u>applicant pool record</u> . 3. Sends a letter to the applicant requesting the necessary documentation as described in this regulation. Until documentation is received the applicant is coded as "Other" on the employment list <u>applicant pool record</u> . 4. Receives the documentation from the applicant and determines if the documentation meets the Bureau's <u>department's</u> standards. 5. If acceptable, sends a letter to the applicant that the documentation was accepted and changes the racial designation on the employment list <u>applicant pool</u> record to American Indian. If the documentation is not accepted, writes a letter to the applicant stating why and what documentation is needed for acceptance.

B. Requests Submitted to the Appointing Authorities:

<u>Action</u>	<u>Responsibility</u>
Appointing Authority	1. Receives documentation that a current employee requests the American Indian racial designation for human resource records.

~~Bureau~~Department of Civil
Service

2. Determines if the documentation meets the ~~Bureau's~~department's standards.
3. If acceptable, changes departmental and ~~PPRISM~~HRMN records to indicate the American Indian racial designation and informs employee.
4. Sends a copy of the documents to the ~~Bureau~~Department of Civil Service.
5. Reviews the information, and if acceptable, changes the Department of Civil Service records to indicate the American Indian racial designation and informs employee.

If not acceptable, informs appointing authority and employee of the necessary resolutions.

CONTACT

Questions regarding this regulation should be directed to the ~~Bureau of Human Resource Services~~, Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909, (517) 373-3048 or 1-800-788-1766, or MDCS~~BHRS~~@state.mi.us.

NOTE: Regulations are issued by the State Personnel Director under authority granted in the State of Michigan *Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.